REMARKS

Applicant has amended the specification to overcome the objection on page 14 and to clarify the Example given on page 6.

The rejection of claims 1, 8-10, 17-19 and 25-26 as obvious under 35 USC 103(a) in view of Dent (USP 6,571,212) in view of Globalstar (reference U) is respectfully traversed. All of claims 1-5, 9-14, 18-22, and 26 have been amended and claims 6-8, 15-17, and 23-25 have been cancelled.

The apparatus of claim 1 has been amended to specify a terminal for CDMA mobile communication system of IS-95 standard having data protection function with the encryptor encrypting the vocoder packet from said vocoder and generating the encrypted vocoder packet. The vocoder framer adds a format bit/format bits indicating the vocoder rate and as a result generates the encrypted vocoder frame. In addition, the vocoder deframer, in claim 1 as amended, is new and functions to add a format bit/format bits indicating the vocoder rate from the encrypted vocoder frame and as a result generates the encrypted vocoder packet. This is clearly not taught in Dent and is not disclosed in Globalstar. Accordingly, claim 1 is clearly patentable over Dent USP 6,571,212 taken along or in combination with Globalstar.

Claims 1-5 and 9 are dependent claims which depend from claim 1 and are therefore believed patentable for the same reasons as given heretofore.

The method of claim 10 now specifies a method for encrypting and transmitting information bits in a CDMA mobile communication system of IS-95 standard and requires in step (c) the addition of a format bit/format bits for indicating the vocoder rate results in the encrypted vocoder frame. A frame quality indicator is also included and the encoder tail bits to the encrypted vocoder frame. This method is clearly not taught in Dent '212 taken alone or in combination with Globalstar.

Claims 11-14 and 18 are dependent claims which depend from claim 10. Accordingly, claims 11-14 and 18 are believed patentable for the same reasons as given above.
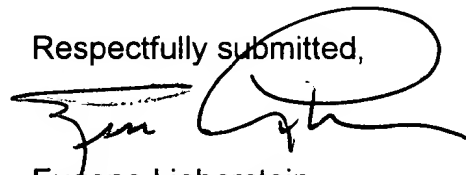
Claim 19 has been amended to a method for receiving and decrypting information bit encrypted by terminal for CDMA mobile communication system having a IS-95 standard, which requires the step of extracting the encrypted vocoder packet from the extracted vocoder frame and decrypting the encrypted vocoder packet. This method is clearly not taught in Dent '212 taken alone or in combination with Globalstar.

Claims 20-22 and 26 are dependent claims, which depend from claim 19 and are therefore believed patentable for the same reasons as given heretofore.

For all of the above reasons, claims 1-5, 9-14, 18-22, and 26, as amended, are now believed to be patentable over the art cited of record and in particular over Dent taken alone or in combination with Globalstar.

Reconsideration and allowance of claims 1-5, 9-14, 18-22 and 26, is respectfully solicited.

Respectfully submitted,

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 6, 2005.

Date: June 6, 2005